

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

In Re:) BK No.: 14-12441
Alfredo Tadalán,)
Debtor(s)) Chapter: 13
Alfredo Tadalán,) Honorable Eugene R. Wedoff
Plaintiff(s))
LVNV Funding, LLC and)
Resurgent Capital Services)
Defendant(s))
) Adv. No.: 15-0395

Order Granting Motion To Dismiss

Before the court for ruling is the motion of defendants LVNV Funding, LLC and Resurgent Capital Services ("Defendants"), pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (made applicable by Fed. R. Bank. P. 7012(b)), to dismiss the adversary complaint of debtor-plaintiff, Alfredo Tadalan. The court takes judicial notice that while the Plaintiff appeared pro se at the commencement of his Chapter 13 case, he has been represented by counsel throughout the above captioned adversary proceeding. The court also takes judicial notice that the Plaintiff's Chapter 13 plan, as confirmed is not a 100% plan so that the filing of the Proof(s) of Claim complained of by the Plaintiff-Debtor had no impact on the Plaintiff- Debtor.

It is hereby ordered that, for the reasons stated and rationale articulated in this court's decision in *In re LaGrone*, 525 B.R. 419 (Bankr. N.D. Ill. 2015), Defendants' Motion to Dismiss is granted. For the reasons stated and rationale articulated in this court's decision in *In re LaGrone*, 525 B.R. 419 (Bankr. N.D. Ill. 2015) this Order comprises the court's proposed findings of fact and conclusions of law because this is a non-core matter.

Enter:

Dated: 15 OCT 2015

United States Bankruptcy Judge

Prepared by:

William J. Connelly (6185201)
Hinshaw & Culbertson LLP
222 N. LaSalle Street – Suite 300
Chicago, Illinois 60601
Telephone: (312) 704-3000

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